

**Congress of the United States**  
**Washington, DC 20515**

The Honorable Merrick B. Garland  
Attorney General  
United States Department of Justice  
950 Pennsylvania Avenue NW  
Washington, DC 20530

The Honorable Antony Blinken  
Secretary of State  
United States Department of State  
2201 C Street NW  
Washington, DC 20500

July 13, 2023

Dear Attorney General Garland and Secretary Blinken,

We write to express our deep concern about the new aquatic barriers that Texas Governor Greg Abbott has deployed along segments of the Rio Grande in Eagle Pass, Texas, in order to deter migrant crossings. We urge the Department of Justice (DOJ) and Department of State (DOS) to investigate potential violations of international law by Governor Abbott and ensure that any such potential violations are swiftly addressed.

Governor Abbott's installation of floating barriers in the Rio Grande to deter migrant crossings is yet another dangerous stunt that prioritizes political posturing over the safety and well-being of both Texans and migrants. Instead of notifying and collaborating with the appropriate federal agencies – such as the International Boundary and Water Commission (IBWC), the U.S. Army Corps of Engineers (USACE), and the Department of Homeland Security (DHS) - Governor Abbott continues to undermine the federal government by misusing state resources to interfere with federal immigration and security responsibilities. Governor Abbott is not only wasting taxpayer dollars with these stunts (the first segment of the floating barrier is estimated to cost [\\$1 million](#)), he is once again choosing inhumane and dangerous practices that intimidate, endanger, and hurt migrants and their families and put CBP personnel at risk.

Failing to consult with the IBWC and appropriate federal agencies before placing floating devices in a binational body of water, the Rio Grande undermines the agency's authority as well as their ability to provide binational solutions to many critical issues in our region. Additionally, we believe Governor Abbott's actions trespasses on IBWC property and may be in violation of the Boundary Treaty of 1970 and the Mexican Water Treaty of 1944. By placing buoys in the Rio Grande, Governor Abbott may be interfering with the natural flow of the river, potentially shifting the boundary between Mexico and the United States causing the United States to cede land to Mexico. The buoys may also violate the 1848 Treaty of Guadalupe Hidalgo by obstructing the ability to navigate of the river, which is relied on by both the United States and Mexico.

In addition, the new buoy structures are being tethered to the banks of the Rio Grande, which can cause damage and erosion and interfere with the operations of USACE. We also believe, it is a clear violation of the Clean Water Act and the Rivers and Harbor Act of 1899, which require permits from USACE.

Similarly, neither Governor Abbott, the Texas Department of Public Safety (DPS), nor any other appropriate state agency has notified U.S. Customs and Border Protection (CBP) of the decision to deploy the buoy barrier system. In 2020, following a demonstration of the buoy barrier by its manufacturer, Cochrane, the Department of Homeland Security opted not to purchase the barrier system, [citing](#) that it posed a risk to federal law enforcement agents on the ground and increased migrants' risk of drowning. Governor Abbott has consistently used his authority as Governor to undermine federal immigration responsibilities, including through Operation Lone Star and his continued bussing of migrants arriving in Texas to large cities around the country, including, most recently, [Los Angeles](#).

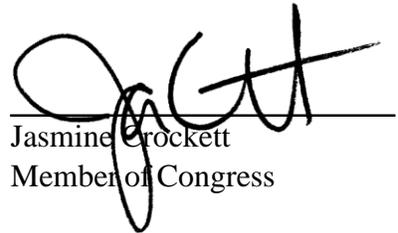
Installing the aquatic barriers will undermine and impact the work of the IBWC, USACE, put asylum seekers' lives at risk, and impede CBP's operations. We urge the DOJ and DOS to take immediate action regarding this matter and the potential violations and obstructionism.

Sincerely,



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Veronica Escobar  
Member of Congress



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Jasmine Crockett  
Member of Congress



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Colin Z. Allred  
Member of Congress



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Sylvia R. Garcia  
Member of Congress



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Greg Casar  
Member of Congress



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Marc A. Veasey  
Member of Congress



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Al Green  
Member of Congress



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Joaquin Castro  
Member of Congress

Cc: Governor Greg Abbott  
Cc: International Boundary and Water Commission  
Cc: Department of Homeland Security  
Cc: United States Army Corps of Engineers